



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 19, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-23079 - APPLICANT: TRIPLE FIVE NEVADA
DEVELOPMENT CORPORATION - OWNER: GREAT MALL OF LAS VEGAS, LLC**

**** CONDITIONS ****

The Planning Commission (6-0-1/d vote) and staff recommend **APPROVAL**, subject to:

1. The limits of this Petition of Vacation shall be defined as a portion of Grand Montecito Parkway between Deer Springs Way and the Wittig Avenue (aka Dorrell Lane) alignment.
2. Prior to the recordation of this Petition of Vacation, meet with the City Traffic Engineer for concurrence with the proposed realignment of Grand Montecito Parkway. Dedication for the realignment of Grand Montecito Parkway shall record concurrently with this Petition of Vacation.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Petition to Vacate a portion of Grand Montecito Parkway between Wittig Avenue and Deer Springs Way. As part of the Great Mall of Las Vegas project, the developer proposes to change the alignment of Grand Montecito Parkway to facilitate the development. The new alignment will be located to the west of the current alignment.

No public access to any adjacent parcel will be impeded, as no street currently exists. In addition, there will not be any reduction in the capability of Grand Montecito Parkway to handle traffic, as the new street will be dedicated to the same standards as originally proposed. Approval is therefore recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/09/98	The City Council denied a Rezoning (Z-0133-97) from R-E (Residence Estates) and C-2 (General Commercial) to PD (Planned Development) on property located at the northeast corner of Durango Drive and Deer Springs Way. The Planning Commission and staff recommended denial.
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of northwest Las Vegas, including the subject site. The Planning Commission and staff recommended approval.
03/06/02	The City Council approved a Development Agreement (DA-0002-01) between the City of Las Vegas and Montecito Town Center, LLC to establish standards for the 172-acre area within the Centennial Hills Town Center known as Montecito Town Center. The Planning Commission and staff recommended approval.
01/08/03	The City Council approved a Petition (VAC-1188) to Vacate a portion of Dorrell Lane located between Riley Street and Durango Drive, a portion of Haley Avenue located between Riley Street and Durango Drive, a portion of Bonita Vista Avenue located between Dorrell Lane and Haley Avenue, and a portion of Riley Street located between Dorrell Lane and Haley Avenue. The Planning Commission and staff recommended approval. The Petition of Vacation recorded on 06/14/04.
12/01/04	The City Council approved a Major Modification (MOD-5497) of the Town Center Land Use Plan to change the land use designation from MS-TC (Main Street Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95. The Planning Commission and staff recommended approval.

06/01/05	A request to amend the Master Plan of Streets and Highways (MSH-6024) to realign a portion of Grand Montecito Parkway between Dorrell Lane and Deer Springs Way was Withdrawn Without Prejudice by the City Council. The Planning Commission and staff recommended denial.
06/07/06	The City Council approved a General Plan Amendment (GPA-12273) to amend Map 2 and Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan to delete one Transportation Trail Alignment and revise two other alignments from Transportation Trails to Pedestrian Paths. The Planning Commission and staff recommended approval.
07/12/06	The City Council approved a Major Modification (MOD-11449) of the Town Center Land Use Plan to change the land use designation from GC-TC (General Commercial – Town Center) to UC-TC (Urban Center Mixed Use – Town Center); a Special Use Permit (SUP-11444) to allow a Town Center development in excess of 12 stories; a Variance (VAR-13505) to allow a reduction in the amount of required open space in Town Center; and a Site Development Plan Review (SDR-10126) for a proposed 1.75 million gross square foot mixed-use Regional Mall with waivers of the Town Center Development Standards on 49.82 acres at the northeast corner of Grand Montecito Parkway and Deer Springs Way. The Planning Commission recommended approval of all items. Staff recommended approval of all items except the Variance.
08/23/07	The Planning Commission will consider a related Petition (VAC-23080) to Vacate a portion of Deer Springs Way west of Doe Brook Trail. Staff recommends approval.
08/23/07	The Planning Commission voted 6-0-1/d to recommend APPROVAL (PC Agenda Item #18/ss).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with this site.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
07/16/07	The site is undeveloped with desert vegetation. Piles of gravel are situated on the north side of Deer Springs Way; Grand Montecito Parkway is under construction on the south side of Deer Springs Way. A hospital and clinic are under construction west of the subject site.

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Montecito Town Center	X		Y
Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DESCRIPTION

The Petition proposes to vacate public right-of-way in a portion of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 20, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

In conjunction with the Great Mall of Las Vegas project, Grand Montecito Parkway will be realigned between Dorrell Lane and Deer Springs Way. The new alignment will be located further west and will have a concave arc instead of the current convex arc. Condition Number 24 of the approved Site Development Plan Review for the project (SDR-10126) had required all full-width improvements to be made to Grand Montecito Parkway by July 13, 2007; however, a delay in the approval of the project traffic study and civil improvement plans have pushed the completion date into the future. A Review of Condition (ROC-23482) was filed to extend that deadline to April 2008. The proposed Vacation will allow the mall site to encroach into the current alignment. The new Grand Montecito Parkway alignment will be dedicated concurrently with the recordation of this Order of Vacation.

FINDINGS

Approval is recommended, as vacation of the existing right-of-way will allow for the realignment of Grand Montecito Parkway as planned. No public access to any adjacent parcel will be impeded, as no street currently exists. In addition, there will not be any reduction in the capability of Grand Montecito Parkway to handle traffic, as the new street will be dedicated to the same standards as originally proposed.

The Department of Public Works presents the following information concerning this request to vacate certain public street rights-of-way:

- A.. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will maintain a uniform right-of-way width, as a new dedication for Grand Montecito Parkway will record concurrently with this Petition of Vacation.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since Grand Montecito Parkway is being realigned.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, the Petition of Vacation is at the request of the adjacent developer to realign Grand Montecito Parkway.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Great Mall site, SDR-10126.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 9 by City Clerk

APPROVALS 0

PROTESTS 0